

US EPA ARCHIVE DOCUMENT



**U.S. Environmental Protection Agency  
Office of Pesticide Programs**

PESTICIDE LABELING CONSISTENCY –  
Minimum Application Rates  
Opportunity for Public Comment

## Minimum Application Rates Opportunity for Public Comment

### Issue

Should the Agency allow products to have minimum application rates printed on product labels if the purpose is not to mitigate risk? What would be the value of allowing this? What are the problems associated with allowing this?

### Discussion

Directions for pesticide use specify application rates to minimize risks to human health and the environment. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 2(ee) permits the use of a pesticide product “at any dosage, concentration, or frequency less than that specified on the label unless the labeling specifically prohibits deviation from the specified dosage, concentration or frequency.”

Occasionally, a minimum application rate may be specified on a label when a risk associated with reduced application of the chemical has been found such as lack of efficacy for a public health pest.

Placing minimum application rates on product labels is not addressed in FIFRA. Currently, EPA’s Office of Pesticide Programs offers guidance on the topic in the Label Review Manual, which reads:

*Some proposed labels will contain various use restrictions desired by the registrant, (e.g., “Do not tank mix this product with [their competitor’s products],” or “Do not use this product for formulating other products,” or other similar restrictions). Unless there is some risk based reason for such use restrictions, such statements are not generally acceptable on product labels because they are false and/or misleading-*

In some instances, there has been interest in placing minimum application rates on product labels when risks associated with reduced application rates have not been documented. Rationale for these statements may be for marketing purposes (e.g., to limit a grower’s tank mix options) and could be regarded as a false or misleading statement.

### Opportunity for Comment

In addition to this general request for public comment on the issue of minimum application rates on product labels, OPP is interested in comments on the following specific issues: Should the Agency allow minimum use rates on products where risks associated with reduced application have **not** been found? What is the value associated with allowing this? What are the problems or issues associated with allowing this? Would these use rates appear to be misleading statements if they do not mitigate risks?

Please submit your comments within 30 days to: [opp\\_labeling\\_consistency@epa.gov](mailto:opp_labeling_consistency@epa.gov). To assist the Agency in responding to comments please include your name, organizational affiliation, and telephone number. Comments received will be made available to the public. Any personal information provided may be subject to disclosure. Do not submit information that you consider to be Confidential Business Information (CBI) or otherwise protected to [opp\\_labeling\\_consistency@epa.gov](mailto:opp_labeling_consistency@epa.gov).